

Agenda item: 01

Staff person handling: Sandra Straehl

Date/location: October 13, 2004 in Polson, MT

Item: **Rename Milk River Bridge east of Lohman (Blaine County) to Herschel Fox Bridge**

Background

The Blaine County Commission requests the new bridge on US 2 across the Milk River, east of Lohman, be renamed the Herschel Fox Bridge. Herschel's daughter made the request to the commissioners a short while after her father's death on December 8, 2003. She requested the bridge be named after her father because he was the first person to cross the original bridge. At the time, Herschel Fox, active in the construction business, played a key role in the construction of the original bridge.

The Blaine County Commission supports the renaming of the new bridge. The family has agreed to fund the costs of manufacturing the signs. MDT will make and install the signs. Furthermore, MDT will assume the responsibility and associated costs for long-term maintenance.

Summary

The Great Falls district responded to Blaine County's request, explaining MDT's policy that MDT does not designate or rename bridges/routes. However, many sections of highways in Montana have been given special designation or name by Congress, federal agencies or the Montana legislature. In addition, requests for special designations and renaming of routes can be carried out by Transportation Commission action.

Staff recommendations

Staff does not have a recommendation for this agenda item. A map showing specifically designated or named routes is attached.

Notes/discussion

Commission action

Agenda item: 02

Staff person handling: Sandra Straehl

Date/location: October 13, 2004 in Polson, MT

Item: **Add County Road 02200 (W Crow Agency) to state maintenance system and nominate reconstruction safety project**

Background

Route 1 (L-02-200) is located west of the Crow Agency Interchange. It was built as part of a 1959 agreement relative to original construction of the Interstate. This road was not included in the original plans for I 90, but added later under the West Frontage Road change order.

Ever since it was constructed in the early 1970s, there has been question as to which government agency is responsible for the road: MDT or Big Horn County. In 2001, MDT's chief legal counsel determined that MDT has responsibility for the road, although it is not actually identified on any department system.

Between its original construction and 2001, the road was reconfigured from the original T-intersection into a curve that has created a safety hazard. To address this issue, MDT would like to designate the road as an X-route to align state maintenance responsibility of the road. MDT proposes utilizing state funds to reconstruct the road to the original configuration with the addition of a school bus turnaround.

The Crow Tribe and Big Horn County have approved preliminary geometric design done by MDT. Both parties have signed an agreement that obligates Big Horn County for daily maintenance and snow removal. MDT will be responsible for major work on the road. The project cost is estimated at approximately \$1 million. MDT anticipates construction in 2006 or 2007.

Summary

MDT proposes adding route L-02-200 to the state maintenance system and nominating a state-funded reconstruction project to address the present safety hazard.

Staff recommendations

Staff recommends the commission approve the addition of Route 1 (L-02-200) to the state maintenance system and the reconstruction project utilizing state funds.

Notes/discussion

Commission action

Agenda item: 03

Staff person handling: Sandra Straehl

Date/location: October 13, 2004 in Polson, MT

Item: **Alkali Lake wetland mitigation project – Blackfeet Indian Reservation**

Background

The commission approved the *Watershed #8-Marias River Basin* project on May 30, 2002. This project, a feasibility study, was to identify potential wetland restoration projects within the boundaries of the Blackfeet Reservation. As a result of this study, the Alkali Lake Mitigation project was identified.

Summary

Environmental Services staff requests a program be established in the amount \$642,740 to complete the following:

- environmental studies, including MEPA/NEPA document
- final design of project plans
- purchase necessary right-of-way
- construction of wetlands.

The Alkali Lake Mitigation project will mitigate the following projects in this watershed:

CN#	Project Name	# Acres Mitigated	Fund Prefix
B594	Meriwether – East	19.8	NH
4046	19 km NW of Glacier County Line-NW	1.6	STPP
4477	Pondera/Glacier County Line Slide	0.33	STPS
1814	East Glacier-West	0.22	NH
1310	Cut Bank-West	0.47	NH

Staff recommendations

Staff recommends the commission approve the Alkali Lake wetland mitigation project utilizing NH-STPP-STPS funds.

Notes/discussion

Commission action

Agenda item: 04

Staff person handling: Sandra Straehl

Date/location: October 13, 2004 in Polson, MT

Item: **2005-Bridge Deck Treatment Program**

Background

A need has been identified to establish a statewide bridge deck treatment program to protect bridge decks from chlorides, a chemical compound found in anti-icers and de-icers.

MDT utilizes sodium chloride and magnesium chloride to keep roads safe in winter. Chlorides applied to bridge decks diffuse through the concrete, penetrating to the level of the steel reinforcing bars, causing the bars to rust. While chlorides corrode the steel in a chemical reaction, water serves as the medium that makes it happen. There is a need to significantly reduce the amount of water entering the concrete bridge decks.

Silanes form a class of chemical compounds that are water repellent. Spraying a silane solution on bridge decks would provide a barrier, resulting in reduced chloride diffusion, which slows the corrosion rate and extends the deck's life. Please see the attached memo from Bridge Engineer Kent Barnes for more detail.

Summary

This program will consist of applying silanes to all bridges on the MDT system on a rotation treating each bridge once every three years. Since silanes degrade over time, the Bridge Bureau suggests this be an ongoing program. The Maintenance Division has committed to doing this work with their staff. However, we would like to request additional funding in case the work is too demanding and we need to contract out some of the work. The yearly costs are estimated to be \$600,000 in materials and \$81,000 in labor if let to contract. The details of the proposed program are attached.

Funding for this program has been determined to be federally eligible. A project will be programmed with multiple funding sources based on system designation.

Staff recommendations

Staff recommends the commission approve the 2005-Bridge Deck Treatment Program for a total of \$681,000.

Notes/discussion

Commission action

Agenda item: 05

Staff person handling: Sandra Straehl

Date/location: October 13, 2004 in Polson, MT

Item: **Allocation of funds for projects**

Background

Section 60-2-127 MCA requires the commission transportation allocate a portion of the Federal-aid highway funds available for construction purposes to projects on the National Highway system, the various state systems and state highways.

As shown in the attached flow chart, this allocation necessarily happens late in any fiscal year due to the nature of the federal obligation process, and other commission decision-making processes.

Staff recommendations

Staff recommends the commission approve the federal funds allocation as presented. Based on the actual federal apportionments received by the state of Montana for federal fiscal year 2004, the allocation to the federal and state systems/highways will be as shown on attachment 1.

Notes/discussion

Commission action

Agenda item: 06

Staff person handling: Sandra Straehl

Date/location: October 13, 2004 in Polson, MT

Item: **Cost changes for projects in Missoula**

Background

Project cost increases for two Missoula projects are being presented to the commission consistent with the guidelines for project cost changes adopted on July 17, 2003. The construction contracts for these projects will be tied.

Summary

CM 0002(105) Brooks/South/Russell Intersection

The Transportation Commission added this project to the program on April 16, 1993 as a \$200,000 engineering study to be funded with Congestion Mitigation and Air Quality Improvement (CMAQ) Program funds. The project is located at the intersection of three arterial roads in the city of Missoula including Brooks Street (Primary 7, US Highway 12), South Avenue (Urban 8120) and Russell Street (Urban 8105).

The original construction engineering and construction cost estimate from the August 1997 Environmental Assessment (EA) was \$2.78 million. Missoula's Transportation Policy Coordinating Committee (TPCC) approved a combination of CMAQ and Surface Transportation-Urban (STP-Urban) program funds to implement the improvement. The purpose of the project is to reduce congestion and improve air quality at this intersection, which is the site of all of Missoula's exceedances of National Ambient Air Quality Standards for CO and PM 10.

The most recent construction engineering and construction cost estimate included in Missoula's 2004-2006 Transportation Improvement Program (TIP) is \$3.416 million (\$2.45 million STP-Urban, \$916,000 CMAQ, and \$50,000 enhancement). Work involves new and reconstructed streets including traffic signals, street lighting, sidewalks, bicycle lanes and landscaping. The most current Brooks/South/Russell cost estimate exceeds the 1997 EA estimate by \$636,000. The increased costs are attributed to inflation, increased materials costs, and the inherent complexities involved with projects that are designed and built in a fully developed urban area. Additional funds to complete this project have been approved by the Missoula TPCC and are provided through the STP-Urban Program.

A construction agreement with the city of Missoula to cover a bid amount higher than the available funding reflected in the 2004-2006 TIP, change orders, or other potential overruns has been developed and indicates that costs in excess of the available funding will be paid by the city unless prior written approval is obtained from the state.

STPP 7-2(38)91 Brooks Street – Missoula

The Transportation Commission added this project to the program on August 2, 2001 as part of the 2002 Statewide Transportation Improvement Program (STIP). The project is located on Brooks Street (US Highway 12, Primary 7) from Reserve Street (US 93, National Highway 92) to Mount Avenue (Urban 8116). The original construction engineering and construction cost estimate was \$410,400 to be funded with STP-Primary funds. This is a pavement preservation project.

The most recent construction engineering and construction cost estimate is approximately \$815,000. The work involves a mill, overlay, and seal and cover of the existing road. The Brooks Street project is anticipated to exceed its original cost estimate by approximately \$404,600 primarily due to the need for full width milling of the road as identified through the scope of work report, rather than the initial recommended overlay. The additional funds needed to complete this project will be provided through Missoula District STP-Primary funds per the Missoula district administrator and has been reflected in the Tentative Construction Program (TCP) since FFY 2003 at \$705,000.

Staff recommendations

Staff recommends the commission approve the additional work and funds for the above projects.

Notes/discussion**Commission action**

Agenda item: 07

Staff person handling: Joel Marshik

Date/location: October 13, 2004 in Polson, MT

Item: **Review speed limit studies**

Background

Staff has performed traffic and engineering studies for the following:

- a. Secondary 212 – Charlo speed limit recommendation
- b. Secondary 212 – Sanders/Lake Counties
- c. US 12/US 89 – White Sulphur Springs East
- d. US 212 – Alzada
- e. Secondary 518 – Montana City to East Helena

Please see the attachments for more detail.

Summary

The appropriate local government concurs with the recommendations put forth by MDT.

Staff recommendation

Staff recommends the commission approve the special speed zones as proposed.

Notes/discussion

Commission action

Agenda item: 08

Staff person handling: Dave Galt

Date/location: October 13, 2004 in Polson, MT

Item: **Local government bonding status**

Background

This is a continuation of a discussion from the February and April, 2004 Transportation Commission meetings regarding funding of the North Meridian Road project in Kalispell. Kalispell officials requested authority to borrow funds beyond the five-year limit of the Transportation Commission Urban Borrow Policy for construction of this project.

The project involves reconstruction of an existing two-lane, 1.2-mile corridor located in northwest Kalispell (see attachment 1). The project is ready for construction, but has a funding shortfall of about \$5.791 million largely due to additional right-of-way and utility costs. The most recent construction estimate is about \$6.345 million, while available FFY 2005 funding for the project is approximately \$1 million of STP-Urban funds. Kalispell's urban allocation is about \$455,600 per year. Consequently, Kalispell would have to borrow over 11 years of its future allocation to construct this project in FFY 2005.

Summary

MDT and the city have been working with FHWA and the state bond counsel to explore the use of city bonding authority, with repayment through Kalispell's future urban allocations, to expedite construction of this project. MDT and Kalispell officials intend to update the commission on the progress and status of this innovative effort to address Kalispell's transportation needs.

A preliminary draft of proposed legislation allowing local governments to bond in this way was provided by the state bond counsel and is currently being reviewed by MDT. If this proposed legislation advances, local governments will sponsor it in the legislature.

If legislation is passed that allows local governments to bond using urban program allocations as a revenue source for repayment, the Transportation Commission should consider adopting policies regarding local government bonding. For example, policy considerations could include allowing only a percentage of an area's base year urban allocation for bonding projects as a safeguard against federal funding uncertainties. Another policy consideration would be related to the fiscal balance of the overall Urban Program. For example, an urban area could be allowed to either bond or go into a borrow situation consistent with commission policy, but not both. Additional approaches should be considered to ensure the program is not oversubscribed.

Staff recommendations

If the bonding bill advances in the legislature, staff will provide specific recommendations at a future commission meeting.

Notes/discussion

Commission action

Agenda item: 09

Staff person handling: Joel Marshik

Date/location: October 13, 2004 in Polson, MT

Item: **Letting lists**

Background

Staff will distribute the most current lists of upcoming projects slated for advertisement and bid letting.

Staff recommendation

Staff recommends approval of the letting lists.

Notes/discussion

Commission action

Agenda item: 10

Staff person handling: Joel Marshik

Date/location: October 13 in Polson, MT

Item: **Certificates of completion**

Background

Attached are certificates of completion for July and August of 2004.

Summary

<i>Month</i>	<i>Original contract amount (monthly total)</i>	<i>Final payment amount (monthly total)</i>
July 2004	\$7,086,755.00	\$7,305,109.00
August 2004	\$22,432,838.00	\$29,946,926.00
<i>Total</i>	\$29,519,593.00	\$37,252,035.00

Staff recommendation

Staff recommends approval.

Notes/discussion

Commission action

Agenda item: 11

Staff person handling: Joel Marshik

Date/location: October 13, 2004 in Polson, MT

Item: **Work/change orders**

Background

Attached are work orders for July and August 2004.

Summary

<i>Month</i>	<i>Total</i>
March 2004	\$2,268,959.82
April 2004	\$594,681.68
	\$2,863,641.50

Staff recommendation

Staff recommends approval.

Notes/discussion

Commission action

Agenda item: 12a

Staff person handling: Joel Marshik

Date/location: October 13, 2004 in Polson, MT

Item: **Liquidated damages – STPP-STPE 27-3(8)79 + Ties – Wibaux N&S**

Background

Century Companies, Inc. of Lewistown, MT, overran the contract time by 1 day. We wrote the contractor on July 8, 2004 of the overrun of contract time. They were informed they had 30 days in which to respond if they intended to request a waiver from the commission. They were also informed that if a written reply was not received within 30 days, the liquidated damages would stand. As there was no response from the contractor, our recommendation is as noted below.

Summary

Award date:	July 18, 2002	Proceed date:	August 19, 2002
Work began:	August 19, 2002	Work completed:	August 4, 2003
Contract time:	45 working days	Work extensions:	0 days
Time used:	46 days	Overrun:	1 day

Staff recommendations

We recommend assessing 1 day @ \$1,142.00 per day for a total of \$1,142.00.

Notes/discussion

Commission action

Agenda item: 12b

Staff person handling: Joel Marshik

Date/location: October 13 in Polson, MT

Item: **Liquidated damages – IM 15-5(99)277 – Gore Hill Interchange
Great Falls, MT**

Background

Century Companies of Lewistown, MT, overran the contract time by 11 days. We wrote the contractor on July 8, 2004 of the overrun of contract time. They were informed they had 30 days in which to respond if they intended to request a waiver from the commission. They were also informed that if a written reply was not received within 30 days, the liquidated damages would stand. As there was no response from the contractor, our recommendation is as noted below.

Summary

Award date:	April 11, 2002	Proceed date:	May 13, 2002
Work began:	June 5, 2002	Work completed:	August 27, 2003
Contract time:	90 working days	Work extensions:	-3 days (negative)
Time used:	98 days	Overrun:	11 days

Staff recommendations

We recommend assessing 11 days @ \$1,397.00 per day for a total of \$15,367.00.

Notes/discussion

Commission action

Agenda item: 13

Staff person handling: Dave Galt

Date/location: October 13, 2004 in Polson, MT

Item: **Commission discussion**

Agenda item: 14

Staff person handling: Dave Galt

Date/location: October 13, 2004 in Polson, MT

Item: **Public comment**

Background

This is an opportunity for the public to address the commission on any transportation topic.

Agenda item: 15

Staff person handling: Dave Galt

Date/location: October 13, 2004 in Polson, MT

Item: **Commission schedule**

Background

The following dates represent the commission's meetings for the remainder of 2004. Please advise the commission secretary if you require travel or accommodations

October 13 10am

Commission meeting in Polson (will include project contract awards originally scheduled for October 12 via conference call)

October 14 10am

Ground-breaking ceremony (Jocko River Bridge)
Afternoon strategizing session for Tentative Construction Program (TCP)
meetings (Missoula)

October 25

8 am – noon	District 3 TCP discussions (Helena)
1 – 5pm	District 2 TCP discussions (Helena)

October 26

8 am – noon	District 4 TCP discussions (Helena)
1 – 5 pm	District 5 TCP discussions (Helena)

October 27

10am – 5 pm	District 1 TCP discussions (Helena)
-------------	-------------------------------------

October 28 8am-5pm

TCP clean-up (Helena)

October 29 8am-5pm

TCP meeting with commissioners (Helena)

November 15 10 am

Conference call to award projects

December 10 8am

Commission meeting in Helena and evening farewell to Director Galt